

**ENTERED**

July 31, 2019

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**

ZACHARY COULTON, §  
§  
Plaintiff, §  
VS. § CIVIL NO. 2:19-CV-60  
§  
MARYANN RODRIGUEZ, §  
§  
Defendant. §

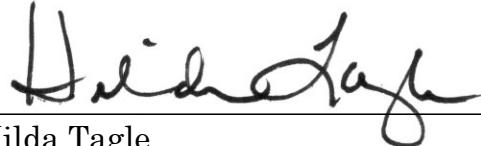
**ORDER**

The Court is in receipt of the Magistrate Judge's Amended Memorandum and Recommendation ("M&R") to dismiss for failure to prosecute, Dkt. No. 10.

After independently reviewing the record an applicable law, the Court **ADOPTS** the M&R, Dkt. No. 10. Accordingly, pursuant to Federal Rule of Civil Procedure 41(b), the Court **DISMISSES WITHOUT PREJUDICE** the above-captioned case. FED. R. CIV. P. 41(b); *McCullough v. Lynaugh*, 835 F.2d 1126, 1127 (5th Cir. 1988) ("A district court may dismiss an action for failure of a plaintiff to prosecute or to comply with any order of court."). Plaintiff's application for leave to proceed *in forma pauperis*, Dkt. No. 2, is **DENIED**.

The Court **DIRECTS** the Clerk of Court to close the case.

SIGNED this 31st day of July 2019.

  
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Hilda Tagle  
Senior United States District Judge